## IN THE UNITED STATES BANKRUPTCY COURT FOR THE SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

In re: Chapter 11 Case No. 17-30560 VANGUARD NATURAL RESOURCES. LLC, et al., § (Jointly Administered) Reorganized Debtors, § § § § § VANGUARD OPERATING, LLC, § Plaintiff, Adversary No. 18-3046 § § § v. STATE OF WYOMING, DEPARTMENT OF § § REVENUE, Mineral Tax Division, § Defendant.

## STATE OF WYOMING DEPARTMENT OF REVENUE'S MOTION TO DISMISS COUNTS I, II AND IV

This motion seeks an order that may adversely affect you. If you oppose the motion, you should immediately contact the moving party to resolve the dispute. If you and the moving party cannot agree, you must file a response and send a copy to the moving party. You must file and serve your response within 21 days of the date this was served on you. Your response must state why the motion should not be granted. If you do not file a timely response, the relief may be granted without further notice to you. If you oppose the motion and have not reached an agreement, you must attend the hearing. Unless the parties agree otherwise, the court may consider evidence at the hearing and may decide the motion at the hearing.

Represented parties should act through their attorney.

There will be a hearing on this motion on October 22, 2018 at 9:30 a.m., prevailing Central time, by telephone conference, 1-712-775-8925, conference room number 815978 according to the Courtroom minutes docketed June 27, 2018.

The State of Wyoming Department of Revenue (Department) through the Office of the Wyoming Attorney General hereby moves this Court to dismiss Counts I, II and IV of the amended complaint on the ground of abstention under Federal Rules of Civil Procedure Rule 12(b)(1). A brief in support of this request is being electronically filed with this motion.

This Court has set this matter for a telephonic hearing to be held on October 22, 2018 at 9:30 a.m. Central time.

The Department respectfully requests that after hearing the arguments of the parties, this Court grant its motion for abstention.

DATED this 27th day of August 2018.

/s/ Daniel Solish

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ATTORNEYS FOR THE WYOMING DEPARTMENT OF REVENUE

## **CERTIFICATE OF SERVICE**

I certify that on this <u>27<sup>th</sup></u> day of August 2018, a copy of the foregoing **STATE OF WYOMING**, **DEPARTMENT OF REVENUE'S MOTION TO DISMISS COUNTS I, II AND IV** has been served on all parties of record via the Court's ECF system.

/s/Daniel Solish

Office of the Attorney General